Workplace Safety and Insurance Appeals Tribunal

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Tribunal d'appel de la sécurité professionnelle et de l'assurance contre les accidents du travail

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Ontario

Workplace Safety and Insurance Appeals Tribunal

Quarterly Production and Activity Report

January 1 to March 31, 2017

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Caseload Reduction: Progress

The Tribunal is working to reduce the caseload and improve the time to hearing and appeal resolution. This work is showing positive results. At the end of the first quarter 2017, the active inventory totaled 7,658 appeals. This is an 18% decrease from the first quarter of 2016.

Positive trends in the first quarter of 2017:

- there are more adjudicators on the Tribunal roster;
- the number of dispositions has increased compared to Q1-2016; and
- the inventory of active cases continued to decline.

What to expect in 2017:

- new Vice-Chairs and Members joining the OIC team;
- a continued focus on reasoned decisions;
- a pilot project to substantively review cases earlier in the process;
- a pilot project to assess video-conferencing; and
- a review of the reconsideration process to reduce wait times.

Timelines:

- With the decline in the active inventory, timelines to hearing are forecast to gradually improve in 2017.
- At the end of Q1, the time to first offered hearing date was 18.9 months (from the time an appeal is confirmed hearing ready).

Thank you for your continued support and cooperation as the Tribunal works to reduce the timelines to hearing and resolution.

If there are questions about timelines in a particular case, please contact the Tribunal's Call Centre at 416-314-8800.

Representatives are asked to avoid late or last minute adjournment requests and withdrawals. Providing sufficient notice of concerns with a hearing date enables the Tribunal to reallocate adjudicator resources to other appeals and effectively use adjudicator time.

As an adjudicative agency in Ontario, and the final level of appeal in the WSI system, the Tribunal focusses on quality adjudication and reasoned decisions, supported by strong process, developed and implemented consistent with the rules of natural justice.

Case Management Summary

At the end of the first quarter 2017, the active inventory totaled 7,658 appeals. The active inventory at the end of the fourth quarter of 2016 was 8,160 appeals.

Incoming Appeals

Incoming appeals for Q1-2017 numbered 853; of these, 732 were appeals from WSIB decisions, and 121 appellants advised they were ready to proceed to hearing following a period of inactive status. In 2016, incoming appeals averaged 936.5 per quarter.

The weekly average of hearing-ready appellants in Q1-2017 is 66. In 2016, the weekly average of hearing-ready appellants was 72. These figures do not include cases reactivated from inactive status.

Dispositions

Dispositions in Q1-2017 totaled 1,374. This includes 438 dispositions in the pre-hearing areas resulting from dispute-resolution (ADR) efforts, and 936 after-hearing dispositions; of the after-hearing dispositions, 915 followed from Tribunal decisions.

OIC Adjudicator Roster

During Q1-2017, 5 new part-time Vice-Chairs and 1 new part-time Member were appointed to the Tribunal. At the end of March, there were 68 Vice-Chairs.

Inactive Inventory

At the end of Q1-2017, the inactive inventory was 1,695 cases. The inactive inventory at the end of the fourth quarter in 2016 was 1,683 cases.

Decisions Released within 120 Days

For the year to date ending Q1-2017, 95% of final decisions were released within 120 days. The Tribunal's goal is to release over 90% of decisions within 120 days. Comparisons to earlier years can be found in section F: Production Charts.

Timelines

At the end of March, the median time to first offered hearing date was 18.9 months. The goal for the caseload reduction period is to reduce the time to hearing to 8 months. The Tribunal also monitors the percent of dispositions achieved within 9 months, and includes 12 and 18 months in the activity report to enable the community to monitor progress to improve timelines. In the first quarter of 2017, there was modest improvement in the percent of cases resolved in 9 and 12 months.

The Notice of Appeal Process

The Tribunal's Notice of Appeal (NOA) process places responsibility in the hands of the parties and representatives to advance a case, and requires appellants to confirm their readiness to proceed (by filing a Confirmation of Appeal) with their appeals within two years of completing the NOA. The notice (NOA) inventory includes "dormant" cases that are tracked as part of the Tribunal's case management. Many are expected to close as abandoned appeals after a two-year period expires. At the end of Q1-2017, the notice inventory included 1,207 dormant cases, the active inventory totaled 7,658 cases, and the inactive inventory totaled 1,695 cases.

Production Tables and Charts

A. Active Inventory End of Quarter

Period	Active Inventory
Q1-2016	9300
Q2-2016	8938
Q3-2016	8650
Q4-2016	8160
Q1-2017	7658

B. Incoming Appeals

Period	Incoming Appeals
Q1-2016	969
Q2-2016	954
Q3-2016	920
Q4-2016	903
Q1-2017	853

C. Dispositions

Period	Dispositions – Total	Pre-hearing	After Hearing
Q1-2016	1217	402	815
Q2-2016	1323	420	903
Q3-2016	1203	348	855
Q4-2016	1324	403	921
Q1-2017	1374	438	936

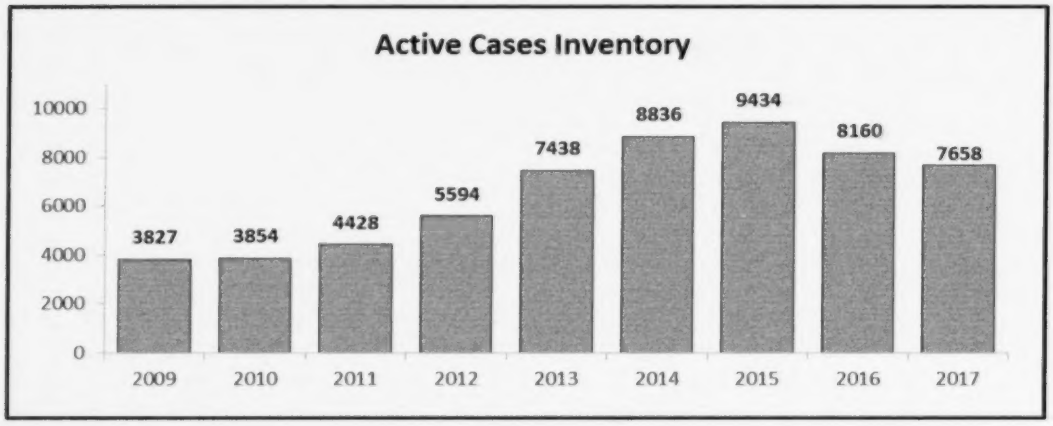
D. Inactive Inventory

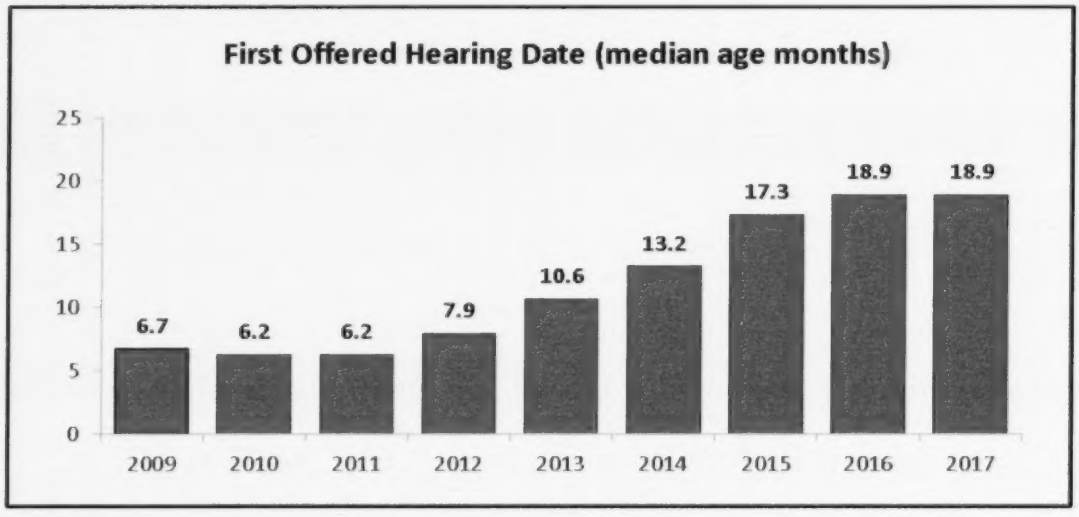
Period	Inactive Inventory
Q1-2016	1756
Q2-2016	1784
Q3-2016	1717
Q4-2016	1683
Q1-2017	1695

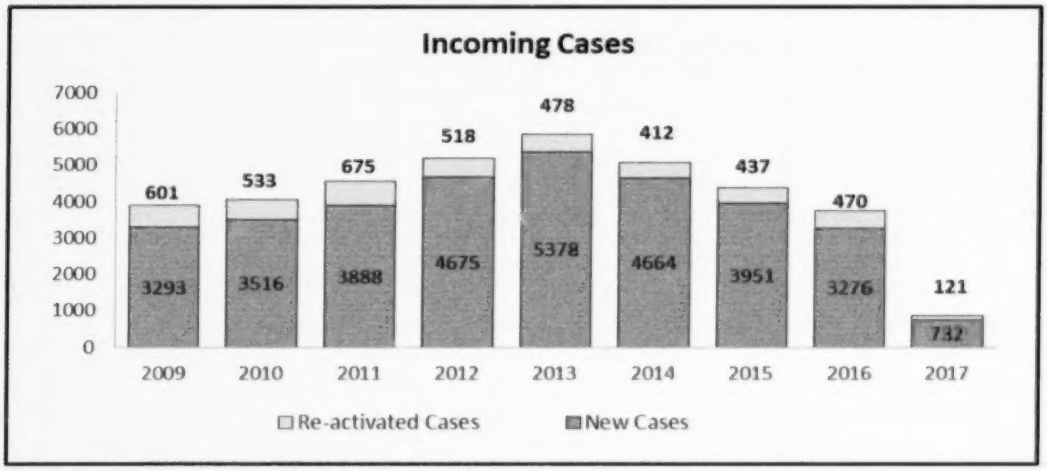
E. Notice of Appeal (Dormant cases)

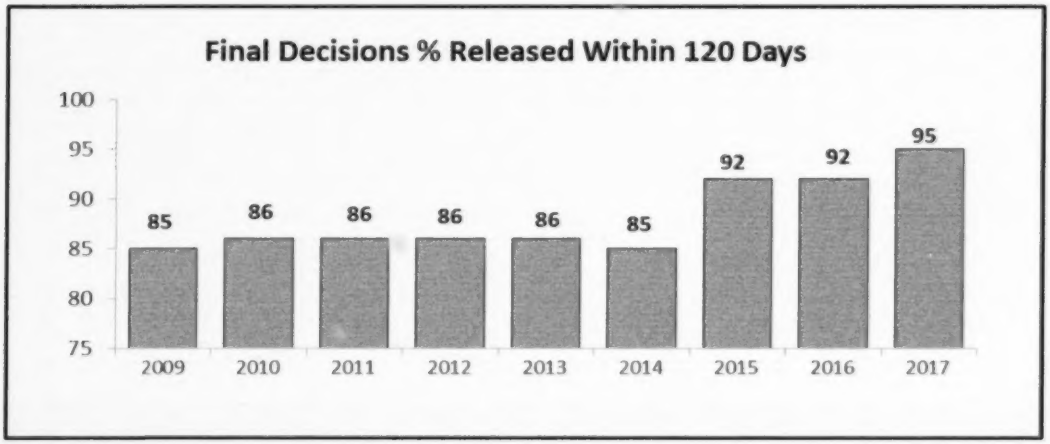
Period	Total Dormant	Change from Previous Quarter
Q1-2016	1159	-114
Q2-2016	1152	-7
Q3-2016	1157	5
Q4-2016	1226	69
Q1-2017	1207	-19

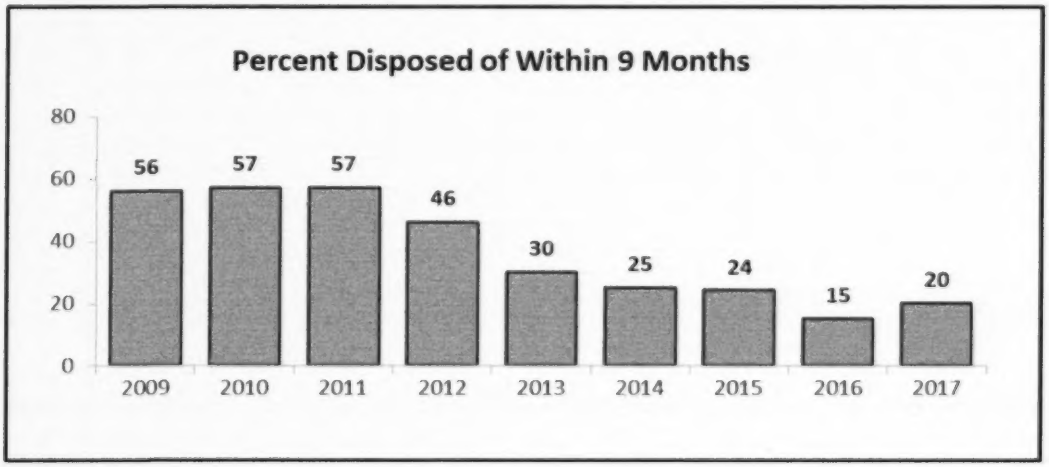
F. Production Charts: From 2009 to 2017

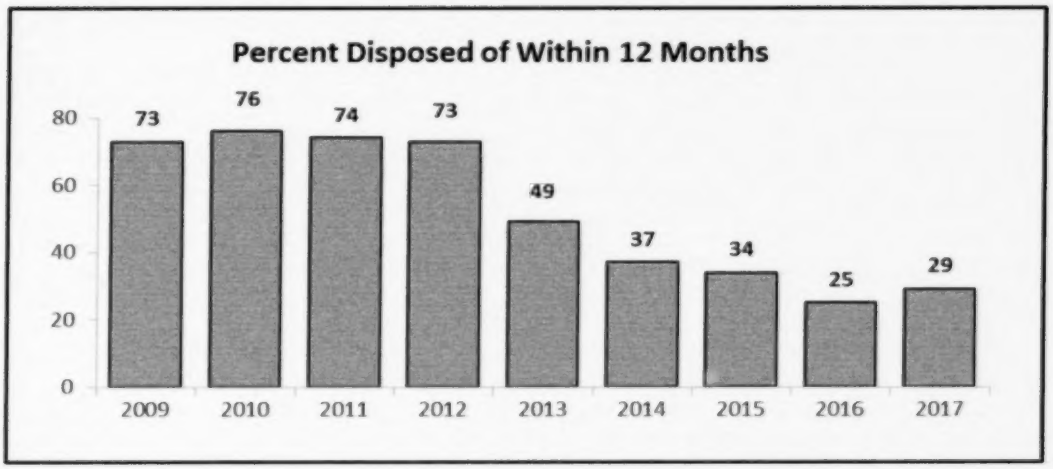


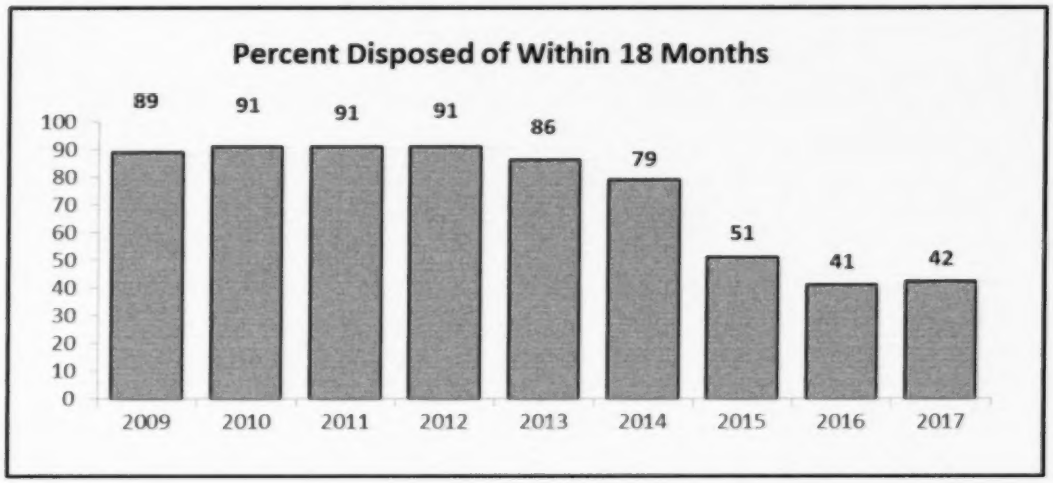



Incoming Cases
7000
6000
5000
4000
3000
2000
1000
0
601
533
675
518
478
412
437
470
121
3293
3516
3888
4675
5378
4664
3951
3276
732
2009
2010
2011
2012
2013
2014
2015
2016
2017
Re-activated Cases
New Cases


Final Decisions % Released Within 120 Days
100
95
90
85
80
75
85
86
86
86
86
85
92
92
95
2009
2010
2011
2012
2013
2014
2015
2016
2017


Percent Disposed of Within 9 Months
80
60
40
20
0
56
57
57
46
30
25
24
15
20
2009
2010
2011
2012
2013
2014
2015
2016
2017





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[April 2017]